

ASSEMBLY, No. 4632

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED OCTOBER 22, 2018

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

SYNOPSIS

Requires each county to establish County Homelessness Trust Fund.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** requiring each county to establish a homeless housing plan
2 and County Homelessness Trust Fund, and amending P.L.2009,
3 c.123.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. Section 4 of P.L.2009, c.123 (C.52:27D-287d) is amended to
9 read as follows:

10 4. A local government **【may】** shall adopt a homeless housing
11 plan to address the housing needs of homeless persons within its
12 jurisdiction, which shall be in accordance with the provisions of
13 P.L.2009, c.123 (C.52:27D-287a et al.). The plan shall **【include**
14 provisions for establishing**】** establish a trust fund for the purposes
15 of receiving funds pursuant to P.L.2009, c.123 (C.52:27D-287a et
16 al.), and shall evidence a strategic local scheme to identify and
17 address the needs of the homeless within the jurisdiction, including
18 strategies to reduce the need for emergency room care, hospital
19 care, law enforcement, foster care, and other social services
20 associated with the homeless and homelessness.

21 (cf: P.L.2009, c.123 s.4)

22

23 2. Section 6 of P.L.2009, c.123 (C.52:27D-287f) is amended to
24 read as follows:

25 6. a. Each county shall utilize its County Homelessness Trust
26 Fund with the advice of the County Homelessness Trust Fund Task
27 Force for the operation of a homeless housing grant program. This
28 program is established in order to provide:

29 (1) for the acquisition, construction, or rehabilitation of housing
30 projects or units within housing projects that supply permanent
31 affordable housing for homeless persons or families, including
32 those at risk of homelessness;

33 (2) rental assistance vouchers, including tenant and project
34 based subsidies, for affordable housing projects or units within
35 housing projects that provide permanent affordable housing for
36 homeless persons or families, including those at risk of
37 homelessness;

38 (3) supportive services as may be required by homeless
39 individuals or families in order to obtain or maintain, or both,
40 permanent affordable housing; and

41 (4) prevention services for at risk homeless individuals or
42 families so that they can obtain and maintain permanent affordable
43 housing.

44 b. Grants awarded by the governing body of the county shall be
45 used to support projects that:

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (1) measurably reduce homelessness;
2 (2) demonstrate government cost savings over time;
3 (3) employ evidence-based models;
4 (4) can be replicated in other counties;
5 (5) include an outcome measurement component;
6 (6) are consistent with the local homeless housing plan; or
7 (7) fund the acquisition, construction, or rehabilitation projects
8 that will serve homeless individuals or families for a period of at
9 least 30 years or the equal to the longest term of affordability
10 required by other funding sources.

11 c. Each county **【**that has established a County Homelessness
12 Trust Fund**】** shall transmit information concerning the uses of the
13 funds deposited in its County Homelessness Trust Fund to the New
14 Jersey Housing and Mortgage Finance Agency in accordance with
15 requirements established by that agency.

16 d. The governing body of a county may by resolution establish
17 a preference for veterans that gives first priority, in the distribution
18 of grants, for the benefit of homeless veterans, including those at
19 risk of homelessness.

20 (cf: P.L.2017, c.320 s.1)

21

22 3. N.J.S.22A:4-17 is amended to read as follows:

23 22A:4-17. a. All fees, costs, allowances, percentages and other
24 perquisites of whatever kind which surrogates, county clerks in
25 their several capacities, registers of deeds and mortgages, and
26 sheriffs or persons employed in their offices are entitled to charge
27 and receive for any official acts or services they may render shall be
28 for the sole use of the county and shall be accounted for regularly to
29 the county treasurer; however, such monies shall be utilized to
30 increase the salaries of surrogates, county clerks, registers of deeds
31 and mortgages and sheriffs, except as provided in section 6 of
32 P.L.2001, c.370 (C.22A:4-8.1), section 7 of P.L.1985, c.422
33 (C.22A:4-17.1) and section 4 of P.L.1988, c.109 (C.22A:4-17.2).

34 Such accounting shall be made on or before the fifteenth day of
35 each month on form blanks supplied by the county treasurer. The
36 statement of account shall clearly set forth all sums charged or
37 taxed or which shall have accrued or become payable during the
38 preceding month. Such statements shall be made under oath and
39 filed in the office of the county treasurer as public records.

40 Such statements when received by the county treasurer shall be
41 forthwith audited by the county auditor or other proper officer.

42 On or before the twentieth day of each month surrogates, county
43 clerks, registers of deeds and mortgages, and sheriffs shall pay over
44 the amount of such fees and moneys to the county treasurer and
45 such officers shall be personally liable to the county for such fees
46 and moneys.

47 The penalty for each day's neglect to file the required statement
48 of account or to pay over such moneys shall be one hundred dollars

1 (\$100.00) to be recovered in the name of the board of chosen
2 freeholders of the county in a civil action in the Superior Court, and
3 said officers may also be proceeded against by proceeding in lieu of
4 prerogative writ.

5 b. (1) In addition to the fees authorized in **【N.J.S.22A:4-4.1】**
6 section 2 of P.L.1965, c.123 (C.22A:4-4.1), and except as provided
7 in paragraph (2) of this subsection, **【upon resolution or ordinance of**
8 **the】** each county governing body**【, as appropriate,】** shall impose
9 and collect a surcharge of three dollars **【shall be charged】** for each
10 document recorded, which **【will】** shall be in addition to any other
11 charge allowed by law. The county treasurer shall deposit the
12 surcharges so collected into a fund that shall be used by the county
13 to accomplish the purposes of P.L.2009, c.123 (C.52:27D-287a et
14 al.). This fund shall be known as the "County Homelessness
15 **【Housing】** Trust Fund." Five percent of the fund may be used
16 annually by the county for administrative costs related to
17 administration of the fund and the grant program established
18 pursuant to P.L.2009, c.123 (C.52:27D-287a et al.), and the
19 remainder only for homelessness housing programs as described in
20 P.L.2009, c.123 (C.52:27D-287a et al.).

21 (2) The surcharge imposed in this section **【does】** shall not apply
22 to assignments or substitutions of previously recorded deeds of
23 trust.
24 (cf: P.L.2009, c.123 s.8)

25
26 4. This act shall take effect immediately.
27
28

29 STATEMENT

30
31 This bill requires that each county establishes a plan to address
32 the housing needs of homeless persons within the county's
33 jurisdiction by establishing a County Homelessness Trust Fund.
34 Despite the efforts by all levels of government, private individuals,
35 nonprofit organizations, and charitable foundations, the State's
36 homeless population is unacceptably high. The creation of county
37 homelessness trust funds will provide the additional funds
38 necessary to aid homeless persons in finding permanent and
39 affordable housing.

40 The bill also requires that the plan include a strategic local
41 scheme to identify and address the needs of the homeless within the
42 jurisdiction, including strategies to reduce the need for emergency
43 room care, hospital care, law enforcement, foster care, and other
44 social services associated with the homeless and homelessness.